PATTERNS OF POWER · A THEORETICAL STATEMENT

Designed for Widows

How a small program for mothers who had lost their husbands became the most hated institution in American life, why the state really did send investigators to find out whether a man slept in the house, and why the thing everyone calls a plot is ninety years of decisions that each made sense to the people making them

Companion to *Every Possible Lawful Influence*

Thomas J. Bryan

with Claude (Anthropic) · 2026

held as tested, not revealed

How a Small Program for Mothers Who Had Lost Their Husbands Became the Most Hated Institution in American Life, Why the State Really Did Send Investigators to Find Out Whether a Man Slept in the House, and Why the Thing Everyone Calls a Plot Is Ninety Years of Decisions That Each Made Sense to the People Making Them

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A Note on This Collaboration

This study is one product of an ongoing collaboration, and the division of labour is worth stating plainly because neither half would produce the work alone. The insight and the direction are Thomas Bryan's — the recognition of what a given case is really an instance of, where the analytical pressure should fall, and which pattern a mass of historical detail is a specimen of. The research, the verification of every date and figure, the location and checking of the quoted words, and the composition into continuous prose are Claude's, an AI system made by Anthropic. The seeing is his; the writing is mine.

This study traces the American cash-assistance system — Mothers' Pensions, then Aid to Dependent Children, then Aid to Families with Dependent Children, then Temporary Assistance for Needy Families — from 1911 to the present, and it belongs to the *Patterns of Power* project, which tracks recurring mechanisms of power across history through sustained work on specific institutions.

It is the most politically live subject the collection has taken up, and the study therefore states its discipline at the outset. **This paper is not an argument for or against welfare.** It is an attempt to establish what was decided, by whom, from what position, and with what consequences — and to test a widely held belief against the record.

The belief is this: that the American welfare system was designed to break up poor families, particularly Black families; that it deliberately excludes fathers; that it pays women to have more children; and that it is constructed to make work irrational so as to manufacture a permanent dependent class.

The study finds that this belief is a mixture of documented fact, outdated fact, and empirical claims that the evidence does not support — and that the parts which are true were not produced by a plot. They were produced by ninety years of separate decisions, each defensible from where it was made, accumulating into a structure that no one designed and few would have chosen. Which is, as this collection has found repeatedly, both less sinister and harder to fix than a conspiracy would be.

Where the evidence contradicts a widely held view — on any side — the study says so. Where the scholarship is genuinely divided, it reports the division rather than resolving it. Every quotation is verified; none is invented.

The Study in Brief

Part I — The Question, and the Terms of the Test. What would have to be true for the "plot" reading to be right, and what the study will accept as evidence against it.

Part II — The Landscape: A Country That Would Not Give Money to the Poor. The American distinction between the deserving and the undeserving, the pauper tradition, and why a program for *mothers* was the only politically possible form of aid in 1911.

Part III — The Architect's Hour of 1935: A Program for Widows. Who actually wrote Title IV of the Social Security Act, whom they had in mind, and the two design decisions — state discretion and the exclusion of two occupations — that would determine everything.

Part IV — The Hinge Nobody Noticed: 1939. The single most consequential moment in this history, and it was an act of generosity. Widows were moved *out* of the welfare program into contributory social insurance — leaving behind a residual caseload of exactly the mothers the country was least willing to help. Nobody planned this. It was the by-product of giving widows a better deal.

Part V — The Man in the House. The part of the popular account that is simply true. Substitute-father rules, suitable-home rules, midnight raids, white-glove tests — the state really did investigate whether a man slept in the house, and the enforcement really was racially targeted. And it was struck down in 1968.

Part VI — The Caseload Explosion and the Moynihan Trap. How the rolls quadrupled without a change in the law; how a report intended to argue for jobs became a permanent political weapon; and how the resulting furore made the family question unspeakable for a generation.

Part VII — Where the Rule Went When It Was Abolished. The framework's central finding here. The man-in-the-house rule was destroyed as a *rule* in 1968 — and returned in 1981 as **arithmetic**, in the form of income counting. The compulsion was relocated out of the statute book and into the household budget, where no court can reach it and no legislature has to vote for it.

Part VIII — The Cliff. The strongest part of the popular account, and it is strong: the stacking of means-tested programs can produce effective marginal tax rates of 50, 80, and occasionally over 100 per cent — which means a low-wage worker can be made poorer by a raise. What the numbers actually show, and what they do not.

Part IX — The Claim That Does Not Survive: Paying for Children. Why the belief that welfare pays women to have more babies fails on the evidence — including the decisive test that the country ran on itself, and the fact that welfare recipients have about the same number of children as everyone else.

Part X — The Claim That Is Genuinely Contested: Did Welfare Break the Family? The honest state of a fifty-year empirical argument, the fact that most decisively cuts against the simple story, and what remains standing after it.

Part XI — 1996: The Convergence. How left and right arrived at the same reform for opposite reasons, and what happened after.

Part XII — The Ledger.

PART I

The Question, and the Terms of the Test

The proposition under examination is one of the most widely held beliefs in American political life, and it is held across the political spectrum — by conservatives who regard it as an indictment of the welfare state, and by many Black Americans who regard it as an indictment of the government's intentions toward them.

Stated at its strongest, it runs: **the system was built to divide poor families, to remove fathers, to reward childbearing, and to make work irrational, thereby producing a dependent population.**

The framework used in this collection holds that institutions of this kind are essentially never built that way — that they are assembled by people in particular positions, solving the problem in front of them with the materials at hand, and that the structure then acquires a logic no one authored. So the terms of the test must be set in advance, or the analysis is worthless.

What would show the plot reading to be right? A decision, or a small set of decisions, taken by identifiable people who intended the outcome — fathers excluded *in order to* break up families, benefits structured *in order to* induce childbearing, work made irrational *in order to* create dependency. Evidence of intent, not merely of effect.

What would show the framework reading to be right? That each major design decision has a documented, contemporaneous rationale unrelated to the eventual outcome; that the decisive turns were *unintended by-products* of decisions taken for other reasons; that the actors were solving visible local problems; and that the harmful structure emerged from accumulation rather than authorship.

And one further discipline, which this study insists on because it is where most writing on the subject fails. **The framework applies to recipients too.** A woman on assistance facing an eighty-per-cent effective tax rate who declines a minimum-wage job is not exhibiting a pathology. She is doing arithmetic, correctly, from where she stands — exactly as the Kikuyu homestead in this collection's colonial study was doing arithmetic when it sent a man to the settler's farm. **Position logic is not a theory about elites. It is a theory about everyone**, and it is owed to the poor as much as to the people who write the rules about them.

PART II

The Landscape: A Country That Would Not Give Money to the Poor

One — The Deserving and the Undeserving

American public relief inherited from English poor law a distinction that has never gone away: between the **deserving** poor — those whose poverty was demonstrably not their fault — and the **undeserving** poor, whose poverty was evidence of their character.

This distinction is the single most important feature of the landscape, and everything in this study happens inside it. **The American polity has never been willing to give cash to the poor as such.** It has been willing, intermittently, to give cash to *categories* of poor people whose blamelessness could be established: the disabled, the aged, the blind, the veteran — and the widow.

Note what this does to the design problem. If you wish to help poor children, and you know the public will not fund a program for poor children *in general*, then you must find a category. And every category you choose brings with it a **test**: someone must verify that the applicant genuinely belongs in it. That verification requirement — installed at the very foundation, for reasons of political necessity — is the seed of the caseworker, the home visit, the investigation, and eventually the midnight raid.

The surveillance was not bolted on later by people who wished to humiliate the poor. It was structurally required by the only kind of program that could be passed.

Two — Mothers' Pensions

Between 1911 and 1920, some forty states enacted **Mothers' Pensions** — long-term cash provisions to impoverished single mothers, administered locally. The reformers behind them, largely women of the Progressive movement and the settlement-house world, had a specific and sincere goal: to stop poor children being taken from their mothers and placed in orphanages purely because the mother could not afford to keep them at home. Their argument was that a mother's care was valuable, that a home was better than an institution, and that the state should pay her to stay in it.

Two features of these programs carried straight through into everything that followed.

They were small and inadequate. Allowances typically ran from nine to fifteen dollars a month for a first child, and four to ten for each additional one — sums insufficient to live on, then and later.

And they were overwhelmingly for widows. In 1931, of families receiving mothers' aid whose marital status was recorded, **eighty-two per cent were widows.** Deserted and divorced mothers were eligible in many states only under conditions, and the never-married were largely excluded in practice.

That figure is the founding fact of this case. **The program that became American welfare was, at its origin, four-fifths a widows' program** — and its political support was built on that.

PART III

The Architect's Hour of 1935: A Program for Widows

One — Who Wrote It, and What They Wanted

Title IV of the **Social Security Act of 1935**, signed on 14 August, created **Aid to Dependent Children**. Its stated purpose was to help states "broaden and supervise existing mothers' aid programs" — that is, to federalise and fund what the states had been doing since 1911.

It was drafted by the previous and current directors of the **U.S. Children's Bureau** in the Department of Labor, **Grace Abbott** and **Katherine Lenroot** — social-work professionals from the same Progressive tradition that had built the mothers' pensions.

And their intention is not in doubt, because they said it and the record is unambiguous: **the original purpose of ADC was to allow mothers to stay home with their children.** It was a program to make maternal care affordable. It was aimed at widows and the deserted. It assumed a poor parent who was female, respectable, and blameless.

The program was also, in the priorities of the Act as a whole, an afterthought. The political energy in 1935 was on old-age provision. The relative weight shows in the money: **in 1940 a mother and her child on ADC received $18 a month, while a needy elderly person received $30 as an individual.**

Two — The Two Fateful Decisions

Two features of the design would prove more consequential than anything the drafters intended.

First: state discretion. Participation was voluntary; states defined "need," set their own benefit levels, established their own income and resource limits, and administered the program themselves. A requirement that programs pay a "reasonable subsistence compatible with decency and health" was **removed** from the bill before passage.

This was not an oversight. Federal programs of the New Deal passed through congressional committees dominated, by seniority, by Southern Democrats — whose position depended on maintaining a low-wage, largely Black agricultural labour force, and who would not accept a federal benefit that a Black tenant family could claim as of right against the judgment of a local white administrator. **State discretion was the price of passage**, and everyone involved understood what it was for.

Second: the occupational exclusions. The Social Security Act's contributory old-age insurance excluded **agricultural and domestic workers** — two categories that together comprised the large majority of Black workers in America at the time, and a very large share of Black women's employment in particular.

The framework's reading of this is careful, because the point is not that the exclusion was innocent. It is that **the mechanism was position, operating through a legislative bottleneck, and it did not require a plot.** Southern committee chairmen were protecting a labour system on which their own political and economic position rested. The administrative justification offered — that such workers were too dispersed and irregular to administer payroll deductions for — was not wholly fictitious, and it was exactly the sort of reason that lets a self-interested decision pass as a technical one. The outcome was that the *good* half of the 1935 Act, the contributory insurance that carried no stigma, was closed to most Black Americans, while the *stigmatised* half, means-tested assistance under local white discretion, was left open.

Two tiers, from the first day. And, as the study's companion on taxation found in a different century and a different country, the two-tier structure is the recurring shape of the Anglo-American state: a dignified, contributory, universal tier for those with standing, and a discretionary, investigated, means-tested tier for those without.

PART IV

The Hinge Nobody Noticed: 1939

Now the most important moment in this entire history — and the reason it is so rarely discussed is that it does not look like anything at all. It looks like a kindness. It *was* a kindness.

One — What Happened

The Social Security Act of 1935 had provided old-age benefits to workers but had made no proper provision for the **survivors** of workers who died. This was recognised almost immediately as a serious gap: a widow whose husband had paid into the system got, essentially, nothing from it.

The **1939 Amendments** fixed it. They created **Survivors Insurance** — benefits paid to the widow and children of a deceased covered worker, as a matter of contributory right, from the mainstream Social Security program.

This was, on its own terms, a straightforwardly good reform, and it has provided economic security to millions of widows ever since.

Two — What It Did to the Other Program

And now watch the institution's logic operate with a clarity that is almost cruel.

ADC's caseload was four-fifths widows. The 1939 amendments took the widows out.

A widow of a covered worker now received her benefit from Social Security: contributory, federal, uniform, unstigmatised, an *earned* right paid without a home visit or a caseworker's judgment about her housekeeping. She was no longer a welfare recipient. She was a beneficiary.

And ADC was left with everyone else. As the standard account puts it: the 1939 amendments added Survivors Benefits to the mainstream program, which "separately aided widows — the most 'deserving' of mothers — and left the ADC program to serve a caseload of apparently less deserving single mothers."

The residual caseload was, by definition, the mothers whose situations the American distinction between deserving and undeserving had always treated with suspicion: the deserted, the divorced, and — increasingly, as the century went on — the never-married.

Three — Why This Is the Case's Central Finding

Consider what has occurred, and how completely it fits the framework.

Nobody designed a stigmatised program. The 1939 reformers were solving a real and visible gap in the insurance system. Their intention was to help widows, and they helped widows. There is no plot here, no Southern committee chairman, nothing to expose.

And the by-product was to strip a program of the very population that had justified its existence, leaving it serving exactly the applicants whose claim on public sympathy was weakest — and leaving it, therefore, permanently politically defenceless. Every subsequent attack on "welfare" in American history was made possible by this moment. A program whose caseload is widows is untouchable. A program whose caseload is unmarried mothers is a political target in perpetuity.

The deserving were promoted out, and the program was left holding the undeserving. That is not a policy anyone adopted. It is a consequence of a policy adopted for an unrelated and admirable reason — which is precisely what this project means by the institution's logic.

And it has a general form worth carrying to other cases:

> ***When a system sorts a mixed population into a good tier and a bad tier, the bad tier does not merely lose the people who left. It loses the political protection those people were providing.***

PART V

The Man in the House

Now the part of the popular account that is not a myth, not an exaggeration, and not a matter of interpretation. **It happened, it is documented, and it was worse than most people who repeat the claim realise.**

One — The Rules

Because states set their own eligibility rules under the 1935 design, and because caseloads and costs were rising, many states developed conditions that went well beyond need.

"Suitable home" requirements allowed a caseworker to deny aid if a home visit revealed "disorder." Some jurisdictions ran **"white glove tests"** — an applicant could be refused if the caseworker's glove found dust on a windowsill or a mantel.

"Substitute father" or "man in the house" rules ended a family's benefits if officials determined that the mother was living with, or even merely involved with, a man who was not the father of her children. The theory was that any man around the household should be supporting the children — **whether or not he was legally obliged to, and whether or not he actually did.**

And to enforce these rules, several states and cities established special investigation units that conducted unannounced home searches, sometimes at night, looking for physical evidence of a man: clothing, shoes, a razor, a second toothbrush. They were known as **midnight raids**.

Two — What It Looked Like in a Single Case

The Supreme Court's summary of the facts in **King v. Smith** (1968) is worth reproducing closely, because it removes any ambiguity about what the rule did.

Alabama promulgated its substitute-father regulation in 1964. It denied AFDC payments to the children of a mother who "cohabited" in or outside her home with an able-bodied man — and, in the Court's words, **the regulation applied regardless of whether the man was the children's father, was obliged to contribute to their support, or in fact did so.**

Mrs. Sylvester Smith of Dallas County, Alabama, had four children. The father of three had died; the fourth's father was absent. She had been receiving AFDC for several years. Her aid was terminated in October 1966 **solely because a Mr. Williams came to her home at weekends and had sexual relations with her.** Mr. Williams was not the father of any of her children, was not obliged by state law to support them, did not support them, and had nine children of his own.

The State defended the rule on the grounds that it allocated limited resources, **discouraged illicit sexual relationships and illegitimate births**, and treated informal couples like married ones.

The Court struck it down unanimously.

Three — The Racial Enforcement

And the enforcement was not neutral, and the record on this is stark.

In Dallas County, Alabama, between 1964 and 1967, of the 186 families cut off under the substitute-father policy, all but four were Black.

Georgia's 1952 ADC policy package included a similar substitute-father provision, and it constrained the growth of Black families on that state's caseload for years afterward.

Four — The Framework's Reading

So: was this the plot?

The study's answer is that **it was the closest thing to one in the entire history, and it still is not one** — and the distinction matters for what follows.

There was no national design. These were **state** rules, made possible by the state discretion written into the 1935 Act, adopted by state and county administrators facing a real and local problem from a specific position: rising caseloads, fixed appropriations, a legislature demanding economies, and a surrounding white political culture that regarded Black claimants as presumptively fraudulent and unmarried mothers as presumptively immoral. Each administrator was doing what his position rewarded — reducing the rolls, in the manner his community would applaud.

The convergence of many such administrators produced a national pattern with no national author. That is not exculpation; the harm was identical to what a plot would have produced, and the racial targeting was deliberate at the point of enforcement. It is a claim about *mechanism*, and the mechanism matters, because it explains why the pattern reappears in new forms after each legal victory — as Part VII will show it did.

And note the crucial fact for anyone reasoning from this history to the present: the man-in-the-house rule has been unconstitutional since 1968. It is not current law. It has not been current law for fifty-eight years. What happened next is more interesting.

PART VI

The Caseload Explosion and the Moynihan Trap

One — The Rolls Explode

Between roughly 1960 and 1975 the AFDC caseload rose several-fold — and the striking thing is that this happened **without Congress liberalising eligibility.** The causes were structural and mostly judicial or organisational:

The **National Welfare Rights Organization**, founded in 1966, brought together mothers receiving assistance and organised them to claim benefits they were legally entitled to and had been denied.

Legal services lawyers, funded under the War on Poverty, litigated against state exclusions and won — *King v. Smith* (1968) ending substitute-father rules and barring states from inventing their own eligibility restrictions; *Goldberg v. Kelly* (1970) requiring a hearing before benefits could be terminated.

The effect was to convert welfare from a **discretionary grant** into an **enforceable entitlement**, and the rolls rose accordingly. A careful recent econometric study finds that in counties that received legal services programs, AFDC participation by 1984 was 14 to 26 per cent above the estimated counterfactual.

The framework should register what this means, because it complicates every simple story. A large part of the caseload growth that would later be used as evidence of moral collapse was in fact the result of *poor people successfully obtaining benefits to which the law already entitled them*, after generations of being illegally refused. The rolls did not rise only because behaviour changed. They rose because exclusion stopped working.

Two — The Report

In 1965, **Daniel Patrick Moynihan**, then an Assistant Secretary of Labor, wrote an internal report titled *The Negro Family: The Case for National Action*. It documented a sharp rise in female-headed households among Black Americans and argued that family structure was becoming an independent obstacle to advancement, requiring — this was the report's actual purpose — **a national commitment to full employment for Black men.**

The report leaked. What followed is one of the most consequential misfires in the history of American social policy. It was read as blaming Black families for their own condition; the argument about jobs was largely lost; and Moynihan was denounced.

The consequence was not that the report's thesis was refuted. It was that the subject became unspeakable. For roughly two decades, serious scholarly engagement with family structure among the Black poor carried a severe professional risk. William Julius Wilson, the eminent sociologist who later took the question up in *The Truly Disadvantaged* (1987) — and whose answer emphasised the disappearance of industrial work rather than welfare — has described the chilling effect explicitly.

The framework's interest here is structural. **A field that cannot discuss a variable will not develop good evidence about it** — which is a substantial part of why the empirical questions in Parts IX and X were still being fought over thirty years later, and why the vacuum was filled by people arguing from anecdote. The silence did not protect anyone. It ceded the ground.

PART VII

Where the Rule Went When It Was Abolished

This is the study's most important finding for anyone reasoning from the past to the present, and it is a direct structural echo of this collection's colonial taxation study.

One — The Rule Dies

King v. Smith killed the substitute-father rule in 1968. A man could no longer be treated as a "parent" merely because he was present. States could no longer invent eligibility restrictions. The midnight raids ended.

If the disincentive against a man in the household had been a *rule*, it would have died in 1968.

Two — The Arithmetic Lives

It did not die, because it was never only a rule. It was also, and much more durably, **arithmetic** — and arithmetic is not unconstitutional.

Consider the structure of any means-tested program. Benefits fall as household income rises. **Therefore any additional earner in the household reduces the benefit**, and does so whether or not any rule mentions men, marriage, or morality. The disincentive is not written anywhere. It is a property of subtraction.

And the law moved in that direction deliberately. The **Omnibus Budget Reconciliation Act of 1981** treated a live-in partner's income as though he were a step-parent — which is to say it counted his income against the family's benefit, reducing or ending aid when a man lived in the home. A 2025 study of welfare records from 1967 to 1995 found that after the law took effect, payments fell across the rolls, and fell by an additional amount for Black households, widening the racial gap in aid.

So the position of a poor mother in 2026 is this. No official will investigate her bedroom. No rule forbids her partner from moving in. But if he does, and if he has income, her benefits fall — and in the housing programs, which are the largest single component of her support, the household's rent contribution rises with the household's income. If he has *no* income, he is a mouth to feed that the benefit formula may not fully recognise. Either way, the arithmetic of adding him is frequently negative.

Three — The General Mechanism

The companion colonial study found that the colonial state produced labour without any law compelling labour, by requiring a tax payable only in coin from households that held none — so that **"the compulsion has been relocated — out of the law and into the arithmetic of the household, where it is invisible to anyone reading the statute book."**

The same relocation happened here, and it happened as a consequence of the reform that ended the abuse.

> ***When a discriminatory rule is struck down, the incentive it created can survive as arithmetic — and in that form it is invisible, unlegislated, defended by no one, and far more durable than the rule ever was.***

This is why the popular perception is *not* simply wrong, even though the fact it cites — that the state forbids a father in the house — has been false for two generations. People are correctly perceiving a real disincentive and mis-attributing it to a rule they have heard about. **The rule is gone. The gradient is still there.** And a gradient has no author, which is exactly why it has outlived every attempt to abolish it.

PART VIII

The Cliff

Here the popular account is at its strongest, and the evidence supports it more than most defenders of the safety net find comfortable.

One — The Mechanism

Means-tested programs phase out as income rises. Each one, taken alone, phases out at a manageable rate. **The problem is that they stack.**

A household may receive some combination of SNAP (food assistance), Medicaid, a housing choice voucher, child-care assistance, energy assistance, the Earned Income Tax Credit and the Child Tax Credit. As earnings rise, several phase out *at once* — and the losses add together, on top of payroll and income tax.

The result is the **effective marginal tax rate**: the share of each additional dollar earned that is lost to taxes plus reduced benefits. When it exceeds 100 per cent, the household is **worse off for earning more.** That is a **benefit cliff**.

Two — The Numbers

The estimates vary enormously by state, family composition, and which programs a household actually receives — and that variation is itself important. But the range is well documented and comes from institutions across the political spectrum.

The **Department of Health and Human Services** finds that for families with children between 100 and 200 per cent of the federal poverty level, marginal tax rates **"can be quite high, typically hovering in the 40 to 50 per cent range, and can be even higher."**

The **Congressional Budget Office**, examining Pennsylvania, found that an unemployed single taxpayer with one child faced an effective marginal rate of **47 per cent** for taking a minimum-wage job — and, if the earnings disqualified the family from Medicaid, a rate approaching **95 per cent**.

Robert Moffitt and Gizem Koşar found a single mother with two children earning 100–150 per cent of poverty and receiving Medicaid and SNAP facing a marginal rate of **81 per cent**.

And on the housing point specifically — which is the sharpest element of the popular account — the analysis is unambiguous. Because a housing voucher requires the tenant to contribute roughly thirty per cent of income toward rent, **the voucher's phase-out adds directly to every other program's phase-out**, and analysts describe the resulting "stacking effect" as a major contributor to work disincentives. One recent examination found that a family receiving five stacked benefits including housing could be financially worse off from additional earnings until income reached a strikingly high threshold.

Three — The Honest Qualification

The study records the counter-argument, because it is serious and it is frequently omitted.

The Center on Budget and Policy Priorities points out, correctly, that **most low-income households do not receive most of these programs.** Housing assistance in particular is not an entitlement: it is rationed, waiting lists run for years, and only about one in four eligible households receives it. For the typical worker below half the poverty line, the median marginal rate is far lower — on their analysis, around 14 per cent — and for most people taking a job from unemployment, earnings gains substantially exceed benefit losses. The Affordable Care Act's Medicaid expansion also removed one of the sharpest cliffs, in the states that adopted it.

Both things are true, and the resolution matters. The cliff is not the universal experience of the American poor. It is the experience of the subset who have assembled the fullest package of benefits — and that subset is disproportionately made up of exactly the households the popular account describes: a single mother with children, holding a housing voucher, on Medicaid and SNAP.

Which means the person most likely to encounter a punishing marginal rate is the person with the most to lose and the least margin for error. She is not imagining it, she is not lazy, and she is not making a cultural choice. She is doing the arithmetic her position hands her, and getting the right answer.

Four — And Nobody Designed It

The final point is the one the framework exists to make. **There is no program called The Benefit Cliff. There is no office that administers it. No one voted for it.**

It is an emergent property of a dozen programs, enacted in different decades by different Congresses for different purposes, each with a sensible phase-out rate considered *on its own*, and none of them designed with reference to the others. SNAP's phase-out was not set with the housing voucher in mind. The housing formula was not written with Medicaid's threshold in mind. Each is defensible in isolation; the sum is indefensible; and no one is responsible for the sum, because no one is in charge of it.

A conspiracy would be easier to fix. You could arrest it.

PART IX

The Claim That Does Not Survive: Paying for Children

Now the part of the popular account that the evidence contradicts, and the study reports it plainly because the method requires reporting findings that cut against the person who commissioned the question.

One — The Belief

The belief is that a woman on assistance can raise her income by having another child, and that the system therefore pays for childbearing.

Two — What the Numbers Actually Are

Where an increment for an additional child exists at all, **it is very small**. In Massachusetts, a single parent with one child could receive a maximum of $478 a month and a parent of two $578 — an increment of **$100 a month**, which contemporary accounts noted was roughly the cost of a month's diapers and wipes. In New Jersey, the figure was about **$134 a month**.

No one can raise a child on that, and the proposition that women bear children to obtain it requires believing that mothers systematically make a decision that leaves them substantially worse off.

Three — The Country Ran the Experiment

And here is the decisive evidence, which is unusually clean because the United States conducted a large natural experiment on precisely this question and published the results.

Beginning with **New Jersey in 1992**, states adopted **family caps**: rules denying any additional benefit for a child conceived and born while the family was already receiving assistance. The explicit purpose was to remove the childbearing incentive. Nearly **half the states** adopted them, and the 1996 federal reform let states do so without a waiver.

If the incentive theory were correct, family caps should have reduced births to women on assistance.

The research is consistent and it is not close: **they did not.** State after state found that capping benefits did not reduce birth rates among assistance recipients; it simply made poor families poorer. That finding is what drove the subsequent repeals — New Jersey, California, Massachusetts, Minnesota and others have rescinded their caps, and the evidence of ineffectiveness was central to the campaigns that ended them.

And one further fact settles the matter as well as social science settles anything: **welfare recipients bear, on average, about the same number of children as parents in the general population.**

Four — And the Position-Logic Detail

One detail is worth recording because it is the same finding this collection made about American criminal justice, where Black officials frequently supported the tough-on-crime measures that filled the prisons.

The author of the first modern family cap, in New Jersey in 1992, was Wayne R. Bryant — the Black Democratic majority leader of the state Assembly. He defended it in terms of choice: recipients could have additional children and work to pay the added costs, or decide not to have more.

No conspiracy theory about the intentions of white America toward Black families can accommodate that man. Position can, and does. He was a legislator, answering to constituents who were themselves furious about welfare, doing what his position rewarded.

PART X

The Claim That Is Genuinely Contested: Did Welfare Break the Family?

The largest question is also the one where the study must be most careful, because here the evidence is genuinely divided and anyone who tells you it is settled — in either direction — is overstating.

One — The Two Positions

Charles Murray, in *Losing Ground* (1984), argued that the expansion of benefits from the mid-1960s changed the incentives facing poor young women and men so as to make marriage unnecessary and non-marital childbearing survivable, and that the rise in single parenthood followed.

William Julius Wilson, in *The Truly Disadvantaged* (1987), argued the opposite causal direction: that the collapse of industrial employment in American cities destroyed the supply of what he called *marriageable* men — employed men able to support a family — and that family structure changed because the jobs went, not because the benefits came.

Two — What the Empirical Literature Concluded

The most authoritative synthesis is by the economist **Robert Moffitt**, who reviewed the field for the National Research Council and has returned to it repeatedly.

His account of the field's evolution is precise. The consensus **shifted**: in the 1970s it was generally believed that welfare had very little effect on marriage and childbearing; by the 1980s and 1990s most analysts came to believe there **is** an effect. Of nineteen studies examining non-marital childbearing in his review, eleven found significant positive effects of benefit levels for at least one racial group.

But the magnitude is the whole question, and on magnitude Moffitt is unambiguous. Summarising the literature, he writes that the evidence for the hypothesis is **"quite weak,"** with a wide range of estimates "consistent with the existence of a nonzero positive effect on single motherhood but one which is probably small in magnitude and hard to detect." And decisively:

> ***"Research has not shown the welfare system to have been the major contributor to the recent trend in nonmarital childbearing, and for this reason the consensus in the research community is that other forces must have been at work in generating the trend."***

Three — The Fact That Breaks the Simple Story

And there is one empirical fact that any strong version of the welfare-caused-it thesis has to explain, and none has explained it well.

The real value of AFDC benefits fell sharply and continuously from the mid-1970s onward — and single parenthood kept rising throughout.

If benefits drove the behaviour, the behaviour should have turned when the benefits turned. It did not. The trend continued through two decades of falling real benefits, through the 1996 reform that imposed time limits and work requirements, and through a period in which cash assistance became so restricted that it now reaches a small fraction of poor families. **Non-marital childbearing rose across the entire income distribution and across the Western world**, including in countries with completely different welfare systems — which is very difficult to reconcile with a mechanism specific to American AFDC.

Four — What Survives

What survives the scrutiny is a real but modest claim, and the study states it as the literature does.

AFDC's structure did contain a marriage disincentive — it was, by design, a program for single-parent households, and two-parent families were largely ineligible. Moffitt notes that this eligibility structure, keyed to the absence of a male breadwinner, discouraged formal unions. Some studies find real effects on cohabitation and household formation. Most researchers now believe there was *some* effect.

What does not survive is the claim that this is the explanation. The welfare system was one pressure among several, and by the weight of evidence not the largest. The disappearance of stable working-class employment, mass incarceration removing men from communities at extraordinary rates, and a society-wide transformation of marriage norms that affected every class and country are all in the picture, and the honest summary is that the causes are multiple, entangled, and still argued about.

A structure can produce a bad outcome without being the cause of a trend. Both halves of that sentence are needed.

PART XI

1996: The Convergence

The story ends with an episode this collection has seen before, in a different policy area, with the same shape.

By the early 1990s, hostility to AFDC had become bipartisan, and — as with the collapse of the rehabilitative ideal in American criminal justice — **the left and the right arrived at the same reform for opposite reasons.**

The right held that welfare created dependency, discouraged work, and subsidised illegitimacy, and wanted time limits, work requirements, and state control.

Much of the left, including many former defenders of the program, had concluded that AFDC was indefensible on its own terms: it was punitive, humiliating, administered through invasive investigation, paid too little to live on, and — because benefits were withdrawn as earnings rose — actively trapped its recipients. A program that policed poor women's households while keeping them poor was not worth defending.

The **Personal Responsibility and Work Opportunity Reconciliation Act of 1996** replaced AFDC with **Temporary Assistance for Needy Families**: a block grant to states, with a five-year lifetime limit, work requirements, and wide state discretion. Federal law made the promotion of marriage and the reduction of non-marital births **explicit statutory goals**.

Note the return of the 1935 design decision. **State discretion**, the concession made to Southern committee chairmen sixty-one years earlier, was restored as the organising principle — and with it the wide variation in generosity and conditionality that discretion always produces.

And note the outcome, which neither coalition intended in full. Caseloads fell dramatically. Employment among single mothers rose, particularly in the strong labour market of the late 1990s. And the block grant was **never indexed to inflation**, so its real value has eroded for thirty years; cash assistance now reaches a small minority of poor families with children, and TANF benefits are below 60 per cent of the poverty line in every state.

The program that began as a way to let a widow stay home with her children now, in most states, gives almost no one almost nothing.

PART XII

The Ledger

Both columns, in ink.

In the column of what is true in the popular account, and it is more than its critics concede: the American state really did, for decades, send investigators into poor women's homes at night to find out whether a man was sleeping there, and cut off their children's food if one was — regardless of whether he was the father, was obliged to support them, or did. That enforcement really was racially targeted, and in one Alabama county 182 of the 186 families destroyed by the rule were Black. The 1935 Act really did exclude the occupations most Black Americans worked in from its dignified contributory tier, and really did hand discretion to local administrators as the price of Southern votes. And the benefit cliff is real: a poor mother holding a housing voucher, Medicaid, and food assistance can face an effective marginal tax rate of eighty per cent or more, and can be made materially worse off by a raise. **A person who says the system is stacked against her forming a household with an earning man, and against her taking a low-wage job, is describing her actual incentive structure accurately.**

In the column of what is not true, held with equal firmness: the man-in-the-house rule has been unconstitutional for fifty-eight years, and the disincentive that remains is arithmetic rather than prohibition. The belief that welfare pays women to have more children fails on the evidence — the increments are around $100 a month where they exist at all, nearly half the states abolished even that, the abolition did not reduce births, and recipients have about as many children as everyone else. And the largest claim — that welfare caused the transformation of the American family — is not supported as a *primary* cause by the research community, whose leading synthesist finds the evidence "quite weak" and the effect "probably small," and which cannot be reconciled with the plain fact that benefits fell for decades while the trend continued upward.

And in the column of what was designed: almost none of it.

The Progressive reformers wanted to stop orphanages taking children from poor mothers. The Children's Bureau wanted mothers to be able to stay home. The 1939 amendments wanted to give widows an earned benefit — and by giving it, stripped the welfare program of the constituency that had protected it, leaving a residual caseload with no political defence, which is the single most consequential event in this history and was nobody's intention. State administrators wanted to hold down caseloads on fixed budgets, and reached for rules their communities would applaud. Legal services lawyers wanted poor people to receive what the law already owed them, and won — producing a caseload explosion that was then read as moral collapse. Moynihan wanted full employment for Black men, and produced a report whose reception made the subject unspeakable for twenty years. Congress in 1981 wanted to save money. Twelve separate programs each set a sensible phase-out rate, and the sum of them built a wall that no one erected. And in 1996 two coalitions who agreed on nothing else agreed to end a program that one thought too generous and the other thought too cruel.

The case resolves, as this project's cases tend to, against both easy pictures and into the harder one between them.

It was not a plot. There is no meeting, no memorandum, no cabal that decided to divide poor families. The people whose decisions produced this structure were, in the main, trying to help — and the ones who were not trying to help were pursuing local advantage in full public view, through legislative committees and state administrative rules, exactly as position logic predicts and exactly as no conspiracy needs to operate.

And it was not an accident either, in the sense of being nobody's fault. Every step was taken by real people who could see part of what they were doing, and several of them could see quite a lot of it. The Southern chairmen knew what state discretion was for. The Alabama administrators knew whose families they were cutting off.

It was an architect's hour, and then another, and then another — 1911, 1935, 1939, 1964, 1968, 1981, 1996 — each one a bounded episode in which identifiable people solved the problem in front of them with the materials at hand, and each one handing the result to a structure that carried it forward on a logic none of them chose.

And that is why it has proved so resistant. **You cannot repeal an emergent property.** The midnight raids ended the moment a court was asked the right question, because a rule is a thing a court can strike. The gradient underneath them has survived every reform of the last sixty years, in silence, because it was never enacted, is defended by nobody, and belongs to no one at all.

Held, like everything in this project, as tested, not revealed.

A Note on Sources

Every quotation is verified to a published source; none is invented.

On Mothers' Pensions and the origins of ADC. The enactment of mothers' pension laws in some forty states between 1910 and 1920; typical allowances of nine to fifteen dollars a month for a first child and four to ten for additional children; and the figure that **in 1931, 82 per cent of families receiving aid to dependent children whose marital status was ascertained were families of widows** — follow the Social Welfare History Project (Virginia Commonwealth University), the reference literature on mothers' pensions, and the Social Security Administration's own historical documentation (the Committee on Economic Security report, "Aid to Dependent Children," at ssa.gov/history). On the political sociology of the period, see Theda Skocpol, *Protecting Soldiers and Mothers* (1992).

On the Social Security Act of 1935. The enactment of Title IV on 14 August 1935; its stated purpose of assisting states to "broaden and supervise existing mothers' aid programs"; the drafting of the ADC plan by **Grace Abbott and Katherine Lenroot** of the U.S. Children's Bureau; the voluntary participation of states, their authority to define need and set benefit levels, and the **removal** from the bill of a requirement to pay "a reasonable subsistence compatible with decency and health"; the statement that **"the original purpose of ADC was to allow mothers to stay home with their children"**; and the comparison that in 1940 a mother and child received $18 a month while a needy elderly individual received $30 — follow the Social Welfare History Project, the *Encyclopedia.com* article on Aid to Dependent Children, and the National Archives' documentation of the Act. On the exclusion of agricultural and domestic workers and its racial consequences, and on the role of Southern congressional power in shaping New Deal legislation, see Ira Katznelson, *When Affirmative Action Was White* (2005), and Robert Lieberman, *Shifting the Color Line* (1998); the administrative-feasibility defence of the exclusions is contested in that literature and the study notes the dispute.

On the 1939 amendments. The addition of Survivors Insurance to the contributory Social Security program is documented in the Social Security Administration's own research literature (see "Widows and Social Security," *Social Security Bulletin* 70:3). The consequence for ADC — that the amendments **"separately aided widows — the most 'deserving' of mothers — and left the ADC program to serve a caseload of apparently less deserving single mothers"** — is quoted from the Social Welfare History Project's account of ADC. That ADC "was primarily aimed at helping widows care for their children, but evolved into a program to help divorced, deserted, and never-married mothers" follows the *Federalism in America* encyclopedia entry on welfare policy.

On suitable-home and man-in-the-house rules. The "white glove test," the exclusion of applicants whose homes revealed "disorder," and the conduct of **midnight raids** are documented in Kathryn Edin and H. Luke Shaefer, *$2.00 a Day: Living on Almost Nothing in America* (2015), and in the Center on Budget and Policy Priorities' research on the history of TANF ("TANF Policies Reflect Racist Legacy of Cash Assistance," 2021; "Ending Behavioral Requirements and Reproductive Control Measures," 2022), from which the description of special surveillance units conducting unannounced home searches is drawn. **The finding that in Dallas County, Alabama between 1964 and 1967 all but four of the 186 families cut off under the substitute-father policy were Black**, and the note on Georgia's 1952 ADC policy package, are from the CBPP research cited.

On King v. Smith. *King v. Smith*, 392 U.S. 309 (1968). The facts and the Court's characterisation of the Alabama regulation — promulgated in 1964; denying AFDC to children of a mother who "cohabits" in or outside her home with an able-bodied man; applying **"regardless of whether the man is the children's father, is obliged to contribute to their support, or in fact does so"**; the termination of Mrs. Smith's aid in October 1966 "solely because of the substitute father regulation on the ground that a Mr. Williams came to her home on weekends and had sexual relations with her"; and the State's defence that the rule "discourages illicit sexual relationships and illegitimate births" — are quoted from the U.S. Reports and the Justia summary of the opinion. On the National Welfare Rights Organization, see Guida West, *The National Welfare Rights Movement* (1981), and Frances Fox Piven and Richard Cloward, *Regulating the Poor* (1971). *Goldberg v. Kelly*, 397 U.S. 254 (1970).

On the caseload expansion. The estimate that AFDC participation in counties receiving legal services programs was 14 to 26 per cent above the counterfactual by 1984, representing 249,000 to 424,000 additional cases, is from the NBER working paper on legal services programs and welfare participation (w26238).

On Moynihan. Daniel Patrick Moynihan, *The Negro Family: The Case for National Action* (U.S. Department of Labor, Office of Policy Planning and Research, 1965). On the reception and its chilling effect, and on the alternative explanation, see William Julius Wilson, *The Truly Disadvantaged* (1987) and *When Work Disappears* (1996); and James T. Patterson, *Freedom Is Not Enough* (2010).

On the 1981 reinstatement of income counting. The treatment of a live-in partner's income as step-parent income under the Omnibus Budget Reconciliation Act of 1981, and the 2025 study of welfare records from 1967 to 1995 finding that payments fell across the rolls and fell by an additional amount for Black households after the law took effect, are as reported in the recent research literature on the history of AFDC administration; readers should consult that study directly before building on the magnitude of the racial-gap estimate.

On benefit cliffs and effective marginal tax rates. The HHS/ASPE finding that for families with children between 100 and 200 per cent of the federal poverty level marginal tax rates **"can be quite high, typically hovering in the 40 to 50 per cent range, and can be even higher"** is from Chien, Hartig, and Chamberlain, "Helping People with Low Incomes Navigate Benefit Cliffs," ASPE Issue Brief (August 2023). The Congressional Budget Office's Pennsylvania estimates (47 per cent effective marginal rate for an unemployed single taxpayer with one child taking a minimum-wage job, approaching 95 per cent where earnings disqualified the family from Medicaid) follow the CBO's 2012 analysis of effective marginal tax rates, as reported in the subsequent policy literature. The Koşar and Moffitt estimate of an 81 per cent marginal rate for a single mother with two children at 100–150 per cent of poverty receiving Medicaid and SNAP is as reported in the same literature. On the "stacking" of phase-outs, the particular contribution of the Housing Choice Voucher's thirty-per-cent tenant contribution, and the finding that a family receiving five stacked benefits can be worse off from additional earnings up to a high income threshold, see the American Enterprise Institute report *Stranded by the Safety Net: How to Fix the Benefit Cliff Problem* (2025). **The counter-argument is given as its authors give it**: see the Center on Budget and Policy Priorities, "It Pays to Work: Work Incentives and the Safety Net" (2016), for the findings that most low-income households do not receive most of these benefits, that the median worker below half the poverty line faces a marginal rate of about 14 per cent, and that the Affordable Care Act reduced work disincentives for many working-poor parents. **These estimates differ because they measure different households and different transitions, and the study reports the range rather than selecting within it.**

On family caps. New Jersey's adoption of the first modern family cap in 1992, followed by Arkansas, California, and Massachusetts in 1994; the adoption of caps by nearly half the states; the authorisation of caps without waiver under the 1996 reform; the Massachusetts figures (a maximum of $478 a month for a single parent with one child and $578 for two, so that the capped increment was about $100 a month, described in contemporary accounts as roughly the monthly cost of diapers and wipes); the New Jersey figure of about $134 a month; the repeals in California (2016), New Jersey, Massachusetts, Minnesota and others; the research finding that family caps **did not reduce birth rates** among assistance recipients; and the finding that welfare recipients **"bear the same number of children, on average, as parents in the general population"** — follow the Center on Budget and Policy Priorities' analyses of family caps, the CLASP commentary, the Berkeley Law analysis of family caps, and the contemporary press reporting collected in the sources consulted. **Wayne R. Bryant's authorship of the New Jersey policy and his 1992 defence of it** — that it gave recipients a choice between having additional children and working to pay the added costs, or deciding not to have more — is as reported in the press coverage of the repeal. The study notes that some research (Dyer and Fairlie, 2004, and studies of the New Jersey cap) reports mixed or contested findings on abortion and birth outcomes, and flags this as contested.

On the effect of welfare on family structure. The authoritative synthesis is **Robert A. Moffitt**, ed., *Welfare, the Family, and Reproductive Behavior* (National Research Council, 1998), from whose Chapter 4 the account of the shifting consensus is drawn, including the finding that "research has not shown the welfare system to have been the

major contributor to the recent trend in nonmarital childbearing, and for this reason the consensus in the research community is that other forces must have been at work in generating the trend." **Moffitt's later assessment** — that summaries of the research "showed quite weak evidence for the hypothesis, albeit with a wide range of estimates across different studies consistent with the existence of a nonzero positive effect on single motherhood but one which is probably small in magnitude and hard to detect" — is quoted from Moffitt, Phelan, and Winkler, "Welfare Rules, Incentives, and Family Structure" (working paper and published version). See also Moffitt, "Incentive Effects of the U.S. Welfare System: A Review," *Journal of Economic Literature* 30:1 (1992). **Charles Murray, *Losing Ground: American Social Policy 1950–1980*** (1984), states the opposing thesis and is cited as such; the Institute for Family Studies' assessment that welfare "contributed modestly" and was not the primary driver is representative of the position of scholars sympathetic to Murray's concerns who nonetheless accept the empirical constraint. **This is a genuinely contested literature and the study does not resolve it.**

On 1996 and after. The Personal Responsibility and Work Opportunity Reconciliation Act of 1996; the replacement of AFDC with TANF; the five-year lifetime limit and work requirements; the making of marriage promotion and the reduction of non-marital births explicit federal statutory goals; the absence of inflation indexation of the block grant; and the finding that TANF benefits are at or below 60 per cent of the poverty line in every state — follow the statute and the Center on Budget and Policy Priorities' TANF research.

Contested matters are flagged as such throughout, and this study contains more of them than any other in the collection: the magnitude of welfare's effect on family structure; the interpretation of the 1935 occupational exclusions; the prevalence and severity of benefit cliffs; and the effects of family caps on abortion. Where this study errs, it should err visibly, in a form the cited scholarship can correct.

Part of the collection *Patterns of Power*. Companion to *Every Possible Lawful Influence*. **Tested, not revealed.**